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LSG Floor Report For General Calendar- Tuesday, May 16, 2017

<p>SB 319 By: Watson SP: Raymond</p>	<p>Relating to the continuation and functions of the State Board of Veterinary Medical Examiners; authorizing a reduction in fees; providing penalties.</p>	<p>Agriculture & Livestock</p>	<p>Sunset bill for the State Board of Veterinary Medical Examiners. This Board licenses and regulates veterinarians, veterinary technicians, and equine dental providers. It also sets standards for the practice of veterinary medicine, investigates and resolves complaints against licensees, and proceeds with disciplinary action when necessary. SB 319 moves the agency’s Sunset expiration date until September 1, 2021.</p> <p>The Sunset Commission found poor financial management, data reliability problems and, overall, significant administrative and operational failures of this agency. SB 319 includes changes to the board composition, increase of oversight in veterinarians’ use of controlled substances, and improvements to the agency’s complaint and enforcement processes. The new board requirements include how it must be composed of one member who is associated with an animal shelter, one member who has experience with large animals, and one licensed veterinary technician. In regard to increasing oversight of controlled substance use by veterinarians, the agency is required to periodically check the prescribing and dispensing of controlled substances to determine whether a veterinarian is engaging in potentially harmful patterns or practices. Improvements to the complaint and enforcement processes include: a schedule of sanctions for determining disciplinary actions, prompt notification to a complainant of the final disposition of a complaint along with reasons for decisions made, and maintaining confidentiality for all parties involved in a complaint to the extent possible. Lastly, SB 319 requires fingerprints from applicants for purposes of obtaining criminal record history information.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>SB 735 By: Hancock SP: Cook</p>	<p>Relating to periodic rate adjustment by and to certain transactions involving electric utilities.</p>	<p>State Affairs</p>	<p>A recent report published by the Public Utilities Commission (PUC) asserted that many electric utility companies functioning within ERCOT have not had a PUC review or rate adjustment for years, resulting in customers being overcharged due to lack of oversight. SB 735 instructs the PUC to establish a schedule that requires utility companies to make periodic filings with the commission to review and modify base rates charged by the utility. The bill outlines criteria by which this schedule may be established, including the time period since the utility’s last rate update and whether they have earned substantially more than their authorized rate of return. The bill also outlines criteria under which a utility may have its rate adjustment deadline extended. The bill allows PUC 180 days to consider a utility’s rate adjustment application, but allows for an extension of up to 60 additional days if it is determined that additional information or actions need to be evaluated to make an accurate rate determination. SB 735 allows electric utilities subject to this bill to make necessary periodic rate adjustments once they have adopted a schedule prescribed by the PUC. The provisions of SB 735 only apply to electric utility companies functioning solely inside ERCOT. SB 735 implements a mechanism to ensure PUC is conducting critical oversight as it relates to electric utility rates and will protect consumers by ensuring that they aren’t being overcharged by their utility company.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>

<p>SB 1895 By: Taylor, Larry SP: Oliveira</p>	<p>Relating to the assessment of administrative penalties under the Texas Workers' Compensation Act.</p>	<p>Business & Industry</p>	<p>SB 1895 provides clarification and guidance for the Division of Workers' Compensation (DWC) when assessing fines and violations under the Texas Workers' Compensation Act that are minor and technical in nature, and when the carrier has made good efforts to comply.</p> <p>This bill is in response to a recent enforcement matter involving the Texas Association of School Boards Risk Management Fund. This fund comprises almost 1,100 school districts, community colleges, and other public educational entities, and around 400 of those entities are members of the workers' compensation program. The primary focus of the Fund's workers' compensation program is to provide injured employees with access to quality medical care and ensure that the employees receive their benefits on time. Recently, the DWC contended that the Fund incorrectly reported the first payments date for temporary income benefits in 86 cases because of the use of a USPS third party mail handler. There was no adverse impact to any of the injured workers, and the claims were paid well in advance before statutory deadlines.</p> <p>In the efforts to save time and resources for both parties, including the DWC and the violating entity, SB 1895 adds a few more additional factors to the list that the Commissioner of Workers' Compensation must consider when assessing an administrative penalty. These additional factors added include: whether the administrative violation resulted in a negative impact on the delivery of benefits to an injured worker, and the history of compliance with the electronic data interchange requirements.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>SB 12 By: West SP: King, Phil / Johnson, Eric / Villalba / Burkett / Fallon / et al.</p>	<p>Relating to the creation of a grant program to assist law enforcement agencies with the purchase of bulletproof vests and body armor.</p>	<p>Homeland Security & Public Safety</p>	<p>SB 12 creates a grant program through the Governor's Criminal Justice Division seeking to furnish law enforcement agencies with bulletproof vests, ballistics plates, and plate carriers for peace officers. Purchased items must comply with rifle protection standards implemented by the National Institute of Justice. Agencies seeking funding under this grant must provide a plan of how the equipment will be distributed to, and utilized by its officers. A detailed proof of purchase must be submitted to the division in a timely fashion. In turn the division must submit an annual report of the preceding year to the LBB detailing how the grants were distributed, to which agencies, and what was purchased.</p> <p>Based on the analysis by the LBB, \$25,000,000 within General Revenue could purchase 50,000 Level IV bullet-resistant vests at \$500 each. Administrative costs for the grant program are viewed to be within the financial means that already exist in each state agency that this bill would affect. SB 12 is also viewed to have a positive fiscal impact for counties utilizing the program.</p> <p>Not all law enforcement departments have enough money to purchase bullet vests for all of their police officers. There have been at times that police officers have to use their own money to purchase their own safety gear. This type of grant funding will help all law enforcement agencies especially those that are located in smaller counties. This proposed legislation is way to protect those who protect us.</p> <p>The criminal justice division shall establish and administer a grant program to provide financial assistance to a law enforcement agency that seeks to equip peace officers with bulletproof vests, ballistic plates, and plate carriers. A vest or plate purchased with a grant received under this section must comply with a National Institute of Justice standard for rifle protection. The criminal justice division may use any revenue available for purposes of the grant. A law enforcement agency may apply for a grant under this section only if the agency first adopts a policy addressing the deployment and allocation of vests or plates to its officers and the usage of vests or plates by its officers. A law enforcement agency receiving this proposed grant under must, as soon as practicable after receiving the</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org</p>



			<p>grant, provide to the criminal justice division proof of purchase of bulletproof vests, ballistic plates, and plate carriers, including the price of each item and the number of each type of item purchased.</p> <p>No later than Dec/1 of each year, the criminal justice division shall submit to the LBB a report that provides the following information for the preceding state fiscal year:</p> <ul style="list-style-type: none"> the name of each law enforcement agency that applied for this proposed grant the amount of money distributed to each law enforcement agency that received this proposed grant the number of vests, plates, and carriers purchased by each agency <p>Fiscal Impact: The LBB assumes a grant amount based on SB 1, I-68, Rider 29, Bullet-Resistant Vests, which includes \$25,000,000 in General Revenue in fiscal year 2018 for grants to law enforcement agencies for bullet resistant personal body armor. According to the Office of the Governor, each Level IV bullet-resistant vest costs \$500. Based on this estimate, the LBB assumes that \$25,000,000 will provide grant funding for approximately 50,000 vests. The LBB assumes implementing the provisions of the bill could be accomplished utilizing existing resources in the Truusted Programs within the Office of the Governor. According to the Texas Association of Counties, cost savings from grants are anticipated to have a positive fiscal impact to counties. However, the extent of the fiscal impact would vary depending on the number of vests provided to each county.</p>	
<p>SB 203 By: West SP: Davis, Sarah</p>	<p>Relating to removing the deadline for the Department of Family and Protective Services to enter into permanency care assistance agreements.</p>	<p>Human Services</p>	<p>SB 203 repeals the part of the Texas Family Code that puts a deadline for kinship caregivers to enter into a Permanency Care Assistance agreement (PCA). A PCA takes place when a child deemed by DFPS is unable to be reunified with their biological parents, and remain permanently with relatives, not resulting in adoption. At this time, the deadline to enroll in a PCA is August 31, 2017. A family that enters into a PCA must:</p> <ul style="list-style-type: none"> Apply to become foster parents Have child in foster care for six months Obtain legal custody of child through court <p>Depending on the child's needs, a family can receive between \$400-525 per month. This is payable up to the child turning 18 or 21, if the family entered after the child turned 16. There are no income requirements to receive this fund.</p> <p>Dropping the enrollment deadline for this helpful program will be an added incentive for kinship caregivers to take in children who need a permanent residence that is familiar to them. Along with this, the bill has been given a positive fiscal note of \$3 Million. For these reasons, SB 203 will serve to benefit children and their relatives who take on the important responsibility of permanent kinship care.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>SB 752 By: Campbell SP: Cortez</p>	<p>Relating to the overseas military e-mail ballot program.</p>	<p>Elections</p>	<p>SB 752 amends the Election Code to expand the early voting email ballot allowable to active duty military who are overseas and eligible for hostile fire pay to any county who is wanting to participate and has the technological means to do so. This bill also repeals sections regarding the date of the pilot programs ending as of September 1st, 2017. This is an important program for our military to have easy access for voting.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>



<p>SB 312 By: Nichols</p> <p>SP: Gonzales, Larry / Burkett / Flynn / Thompson, Senfronia / Raymond</p>	<p>Relating to the continuation and functions of the Texas Department of Transportation; authorizing an increase in rates charged for the use of state aircraft to provide for the acquisition of replacement aircraft.</p>	<p>Transportation</p>	<p>This sunset bill for TxDOT adds more changes to the functions of the department. It changes the language of statutes relating to this department by replacing “State Aircraft Pooling Board” and “board” to “Texas Department of Transportation” and “department”. This sunset bill requires that the Department provide more online information and reporting in the interest of transparency. The new requirements make TxDOT more accountable to the public concerning transportation projects and their planning. The next TxDOT sunset review is September 1, 2029.</p> <p>Commission Member Training: Appointees to the Texas Transportation Commission (TTC) must complete a training program before they can vote, deliberate, or be counted as a member in attendance at commission meetings. This additional training helps ensure that members are equipped with the knowledge needed to help achieve the goals of TxDOT. The training program must provide information on: the law governing TxDOT operations; the programs, functions, rules, and budget of TxDOT; the scope of and limitations on the rulemaking authority of the commission; the results of the most recent formal audit of TxDOT; information on the requirements of law relating to open meetings, public information, administrative procedure, and disclosing conflicts of interest, other laws applicable to commission members; and any applicable ethics policies adopted by TxDOT or the Texas Ethics Commission</p> <p>Statewide Transportation Plan: To more effectively meet the state’s transportation needs, a plan outlining the departments long-term goals and strategies must be implemented, containing measurable targets and other performance measures. The Department is required to refer to this statewide plan to inform their selection process for new projects. TTC must also hold public hearings before any project that makes significant changes to existing roadways or facilities, including those that add special purpose lanes such as high occupancy vehicle, bicycle, or bus lanes. The proposal for any such plan must include the information contained in the Statewide Transportation Plan. The Department’s website must also include a dashboard to communicate the contents of the STP to the public, including information about trends over time and progress in meeting strategic goals.</p> <p>Long-Term Plan for Statewide Passenger Rail System: In addition to the Statewide Transportation Plan, TxDOT must prepare a long-term plan considering the short- and long-term effects of passenger rail on road connectivity and commercial traffic. This plan must be updated every five years to stay in line with transportation trends and adjust for the completion of other major road construction and maintenance projects.</p> <p>Project Information Reporting System: TxDOT is required to review its project information reporting system and solicit feedback from internal and external users to create a more accessible method of sharing this information with the public. The system is subject to periodic review to evaluate its effectiveness and determine if additional improvements are needed.</p> <p>Transportation Funding: In addition to the other analyses of TxDOT’s long-term planning, a comprehensive evaluation of the Department’s funding decisions under the Unified Transportation Program (UTP) and project selection process must be conducted to see if the Department is accomplishing their goals. The results of this analysis must be shared with metropolitan planning organizations (MPO), the public, and TTC for the purpose to inform future decisions. A distinct account within the State Highway Fund is created for funds exclusively designated to acquire replacement aircraft. The Department’s long-range plan must include their Legislative Appropriations Request if current funding is not sufficient to meet their needs and perform their duties.</p>	<p>Favorable</p> <p>Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org</p>
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<p>SB 877 By: Hancock SP: Oliveira</p>	<p>Relating to liability of certain political subdivisions in certain workers' compensation actions.</p>	<p>Business & Industry</p>	<p>In cases related to injured employees and beneficiaries who pursue actions against third-parties who may have caused a work-related injury or fatality, SB 877 provides that political subdivisions are liable for attorney fees in such cases. An example of a third-party action in these circumstances may involve an action against a manufacturer of a machine that was not properly designed, thus causing an injury. The insurance carrier in this type of situation has the right to “subrogate” or “seek recovery” from the third-party for the workers’ compensation benefits paid to the injured employee/beneficiary. This also lowers the cost of workers’ compensation costs for insurance carriers, and self-insured political subdivisions. Some political subdivisions have begun to claim sovereign immunity from the payment of attorney fees in third-party actions. This is occurring even though Chapter 417, Labor Code, specifically allows the payment of attorney fees to a claimant attorney representing the carrier’s interest. SB 877 restores the statutory interpretation regarding the payment of attorney fees in third-party actions that existed prior to 2005. Without this change, claimant attorneys may not pursue third-party actions for workers’ compensation claims administered by a political subdivision, rather than an employer or carrier, which would reduce subrogation and thereby increase workers’ compensations costs.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>



<p>SB 1954 By: Hughes SP: Lozano</p>	<p>Relating to participation in and contributions to the optional retirement program for certain employees of institutions of higher education.</p>	<p>Higher Education</p>	<p>SB 1954 cleans up reporting errors between the Higher Education Coordinating Board and the Teacher Retirement System (TRS) in higher education institutions. Current law states that eligible university employees have 90 days to decide if they want to enroll in TRS or the Optional Retirement Program (ORP). This decision is irreversible. TRS has identified occurrences where employees who initially enrolled in ORP, began working at a new location, and were enrolled in TRS by mistake causing problems with employee’s retirement contributions. SB 1954 seeks to solve this problem by changing the law around employee contributions for ORP enrollees. SB 1954 states eligible participants who are notified by their employer’s must choose to participate in ORP by the later of the 91st day they become eligible, or by the 31st day after they are notified of their eligibility. Per the bill, if an eligible participant is notified of their eligibility after the 91st they were found eligible they must choose to participate in ORP by the later of the 151st day they become eligible, or by the 31st day they are notified of eligibility. Under the bill if an employer submits a contribution to the retirement system on behalf of a person previously in the ORP, in error, then the person’s participation in the program, applicable funds, or contributions must be immediately restored. The bill also stipulates the procedure for correcting employer contributions made in error on compensation paid to the person.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>
<p>SB 826 By: Taylor, Larry SP: Huberty</p>	<p>Relating to the sequencing of required English language arts courses and mathematics courses in schools and conforming changes.</p>	<p>Public Education</p>	<p>In order to allow flexibility in regard to a student’s educational trajectory, SB 826 removes a student’s to successfully completion of English I, II, and III as a prerequisite for compliance with the curriculum requirements for an advanced English course. For the same purpose, the bill also removes a student’s successful completion of Algebra I and geometry as a prerequisite to compliance with the curriculum requirements for an advanced mathematics course. The bill also allows a student to successfully complete the curriculum requirements for math three, math four, science three, and science four by successfully completing an advanced career and technical course.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>
<p>SB 291 By: Whitmire SP: Alvarado</p>	<p>Relating to the issuance of a writ of attachment for certain witnesses.</p>	<p>Criminal Jurisprudence</p>	<p>SB 291 requires a hearing before a judge can issue a writ of attachment for certain witnesses, and further requires the judge to consider the affidavit of the attorney representing the state or the defendant that was submitted with the request for the issuance of the attachment. The bill also requires court-appointed counsel to represent the witness at the hearing, as well as any hearing conducted without the witness present. The provisions of this bill relate only to an attachment requested to be issued under child witness subpoenas, in an affidavit is required; when a witness residing in the same county of the prosecution has been served with a subpoena and fails to appear; attachment for resident witnesses, regardless of whether they have disobeyed a subpoena and may be moving out of the county; and witnesses summoned from outside of the county and refusing to obey a subpoena. In these instances, the attorney representing the state or the defendant can request the court issue a writ of attachment; the request must be filed with the court clerk and include the appropriate affidavit. The bill stipulates that a sheriff taking custody of a witness pursuant to a writ of attachment must submit an affidavit to the issuing court documenting the custody. Regarding hearings during witness confinement, a witness confined for five or more days can request a hearing in the issuing court to determine whether the continued confinement is necessary, and the court must hold the hearing as soon as practicable. The bill further states that court clerks must report information</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>



			regarding a writ of attachment issued in a district court, statutory county court, or county court. Provisions in SB 291 ensure constitutional due process and legal representation for witnesses held in the custody of county jails, and will additionally provide relief and protection for crime victims who may be revictimized in the criminal justice system.	
SB 1305 By: Nichols SP: Darby	Relating to the grant program using money from the transportation infrastructure fund.	Energy Resources	SB 1305 amends Transportation Code by repealing statute that allows for the creation of county energy transportation reinvestment zones (CETRZ). CETRZ were created in the 83rd legislative session for counties to assist with transportation projects in areas affected by oil and gas exploration and production facilities since transportation funding could not keep up with the impact on roads from the increased activity. It is believed that CETRZ have created unequal taxation of properties within these zones. SB 1305 indicates that there will be no impact on tax rate calculations pertaining to property tax assessment.	Will of the House Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org
SB 42 By: Zaffirini SP: Smithee	Relating to the security of courts and judges in the state; establishing a fee.	Judiciary & Civil Jurisprudence	This bill addresses the safety concerns of court and court personnel. Judges must deal with threats as a part of their daily work, and this can lead to near-deadly attacks, such as in 2015 in Travis County. The issue of security must be addressed for judges and court personnel, who presently may fear attacks at their home, the court or other locations. SB 42 provides a number of ways that aid in the vital efforts for greater protection of Texas judges, their families and court personnel. Under this legislation, a presiding or municipal judge must establish a court security committee, which must establish the policies and procedures necessary for the safety of the municipal courts served by the presiding or municipal judge. Additionally, the Office of Court Administration must establish a judicial security division to provide guidance to state court personnel on improving security for each court. The Texas Commission on Law Enforcement, in consultation with the OCA, must develop a model court security curriculum for court security officers, and issue certificates to court security officers who complete the training program. The bill also amends a number of codes in order to require the redaction of judge and spouse's personal information from public documents. SB 42 also creates a \$5 civil filing fee for filings of any civil action or proceeding in a district, county, statutory county, statutory probate or justice court. The revenue from these fees would be deposited to the General Revenue-Dedicated Judicial and Court Personnel Training Fund.	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
SB 533 By: Nelson SP: Geren	Relating to state agency contracting and procurement.	Appropriations	<p>This bill adds clarifying language relating to the Quality Assurance Team's oversight role regarding major information technology (IT) contracts. The governor, lieutenant governor, or Speaker of the House can direct the Department of Information Resources to provide addition oversight for major contracts with a lower limit set at \$100,000 by HB 20. The QAT's duties relating to annual training for agency staff on procurement best practices is added, and those procurements are required to comply with the contract management guide issued by the comptroller's office.</p> <p>SB 533 establishes a new position of chief procurement officer within the comptroller's office to oversee the statewide contracts system and provide agency support. The price thresholds for equipment purchases and their associated contract solicitation requirements are updated to reflect current market values, with purchases between \$50,000 and \$1 million requiring three vendors, and those from \$1 million to \$5 million requiring six vendors; agencies are not authorized to purchase systems over \$5 million. Agencies in other states are permitted to enter in to pre-arranged contracts for goods and services through the comptroller's office.</p> <p>The last set of provisions within SB 533 concern the confidentiality of personal information in public postings of contract information. This bill builds on the language contained in HB 20 to require that personally identifiable information be redacted from the consolidated database of major state contract information maintained by the Legislative Budget Board and on agency websites for</p>	Favorable Evaluated by: Joel Kissell 210-382-4295 Joel@Texaslsg.org



			contracts not included in that database. SB 533 continues the process of refining the state’s procurement process in the interest of cost containment by creating statewide standards for agencies entering contracts.	
SB 667 By: Zaffirini SP: Smithee	Relating to establishing a guardianship compliance program	Judiciary & Civil Jurisprudence	<p>Requires the Office of Court Administration to establish and maintain a guardianship compliance program. Guardianships and guardianship proceedings are important legal tools that allow for a person who is found incapacitated to have someone else make decisions for them on their behalf. The population of Texans age 65 and older are expected to double by 2030 to almost 6 million. Some of these persons will need guardianships. However, without sound monitoring in the courts, there is high risk for exploitation or neglect in regard to the physical and financial well-being of persons under guardianship. There is almost 5 billion dollars in assets under court and guardianship control in Texas, and the clear majority of counties have insufficient resources to monitor guardianship cases. Only 10 out of 15 of the largest metropolitan counties have statutory probate courts, which include probate judges with specialty in the Estates Code, court investigators who review guardianship filings for exploitation or neglect, and court visitors who visit people under guardianship. In the remaining 244 counties, probate matters, including guardianship cases, are heard by either the county judge or county court at law judge.</p> <p>In 2013, the Legislature funded a pilot guardianship compliance project to review guardian’s compliance with statutory requirements. The report from this project found a high risk of exploitation and neglect in this area, with over 40% of guardian’s not in proper and required compliance. SB 677 expands this program, so that courts with insufficient resources to monitor guardian compliance will receive the help necessary for the dignity and well-being of persons under guardianship. This bill requires engaging guardian compliance specialists who must identify reporting deficiencies by guardians, audit annual accountings, work with courts to develop best practices and report concerns regarding the financial well-being of a person under guardianship. Additionally, the OCA must maintain an electronic database to monitor filings related to inventory, appraisement, annual accounting and reports related to this program.</p>	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
SB 1367 By: Menéndez SP: Howard / Cortez / Flynn / Klick / Sheffield	Relating to policies and training regarding the use of epinephrine auto-injectors by public institutions of higher education; providing immunity.	Higher Education	SB 1367 allows institutions of higher education the ability to adopt policies that pertain to epinephrine auto-injectors. Anaphylaxis is a severe allergic reaction typically to food and other types of allergens. In 2015, the 84th legislature passed policy that authorized school districts, and certain charter schools to implement policies to treat individuals suffering from anaphylaxis. SB 1367 extends this same chance to institutions of higher education. Epinephrine is the only medication that can reverse the reaction from anaphylaxis. In addition, studies show that teens and young adults are the highest risk age group for food induced fatalities. Should an institution choose to adopt a policy for epinephrine auto-injectors SB 1367 will give them the guidelines to do so. The provisions described in SB 1367 could potentially save numerous lives. In situations of anaphylactic shock every second counts, and emergency medical services may not always arrive in time to help.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org
SB 2082 By: Taylor, Larry SP: Clardy / Johnson, Jarvis	Relating to the work-study student mentorship program administered by the Texas Higher Education Coordinating Board.	Higher Education	SB 2082 amends the Education Code by including provisions that permit student employment under the mentorship program to increase degree completion. SB 2082 seeks to incentivize students by encouraging them to help each other through the support of student interventions. SB 2082 removes the requirement for the Higher Education Coordinating Board to collaborate with nonprofit organizations, adds GO centers that improve student success. SB 2082 allows an advisor employed under the work-study student mentorship program as an individual an institution may require students who are on academic probation to be placed with instead of a student employee.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org



<p>SB 2087 By: Hancock SP: Phillips</p>	<p>Relating to the creation of a temporary health insurance risk pool.</p>	<p>Insurance</p>	<p>This bill allows for the commissioner to apply for federal funding and use those funds to establish a temporary health insurance risk pool in Texas. According to the bill, the purpose of this type of pool is to maximize the available federal funding to aid state residents in obtaining access to quality health care at minimal cost. It specifically lays out that this newly created pool may not be used to expand Medicaid, Medical Assistance Programs, or the Medicaid Managed Care Program.</p> <p>The commissioner may use these pool funds to:</p> <ul style="list-style-type: none"> • provide alternative individual health insurance coverage to individuals that does not diminish the availability of traditional commercial health care coverage • provide funding to individual health benefit plan issuers that cover individuals with certain health or cost characteristics in exchange for lower enrollee premium rates • provide a reinsurance program for health benefit plan insurers in the individual market in exchange for lower enrollee premium rates <p>The commissioner may also engage in a stop-loss insurance agreements for risks incurred. It also requires the commissioner to transfer money from the healthy Texas small employer premium stabilization fund to the Texas Department of Insurance (TDI) operating account in an amount equal to the amount appropriated to TDI from that fund. The commissioner may not use state money to fund the pool unless they are specifically appropriated for that purpose and may use federal funds to administer the aforementioned provisions. Funds may also be used by the commissioner for marketing purposes.</p> <p>The bill authorizes the commissioner to apply to the United States secretary of health and human services for a waiver of applicable provisions of the Patient Protection and Affordable Care Act and any applicable regulations with respect to health insurance coverage in Texas. The commissioner may take any action the commissioner considers appropriate to make such an application. It authorizes the commissioner to implement a state plan under requirements of a waiver granted as consistent with state and federal law.</p> <p>It gives the commissioner the ability to exercise any authority granted under state law to a reinsurer or a health benefit plan issuer authorized to write health benefit plans in Texas. The bill requires TDI to submit a report that summarizes the activities conducted under this bill. It also mandates the commissioner to transfer any money remaining outside the state treasury in the Texas Treasury Safekeeping Trust Company account to the healthy Texas small employer premium stabilization fund on the bill's effective date.</p> <p>HB 3226 will create authority for a temporary health insurance pool in Texas if funding is provided to the state for risk pools or reinsurance by the federal government in an attempt to stabilize the individual markets. In this case, if the federal government passes reforms, the state would then be able to utilize a state reinsurance funds or risk pool to reduce premiums. This would permit TDI to apply for an ACA State Innovation Waiver which uses alarmingly broad language. Due to the broad authority of the waiver, there is concern that the implementation of this waiver would allow the Governor to remove additional provisions not related to the health insurance pool. Under this broad authority, if Texas tried to waive the individual mandates without a strong replacement, our market would further destabilize.</p> <p>In its essence, insurance spreads the cost of the few ill individuals over the pool of primarily healthy individuals. High risk pools only cover the sick. The only reasonable way to ensure affordable coverage is to guarantee that high-risk pools would have extensive</p>	<p>Will of the House w/Concerns Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org</p>
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			<p>funding which is something Congress may be disinclined to offer. Texas also has a bad history with risk pools. These high-risk pools that Texas used to have are known for their exorbitant premiums, low enrollment, high deductibles, lifetime limits, and pre-existing condition waiting periods. In 2013, this Texas high-risk pool only covered about 23,000 people and a majority of the pool participants paid premiums that were double the cost of typical market rates.</p>	
<p>SB 74 By: Nelson SP: Price</p>	<p>Relating to the provision of certain behavioral health services to children, adolescents, and their families under a contract with a managed care organization.</p>	<p>Public Health</p>	<p>During the 83rd Legislature, a bill was passed that allowed community based rehabilitative service providers to be reimbursed under Medicaid managed care for providing intensive mental health care services to children enrolled in Medicaid. Although the bill sought to increase available service providers for children with mental illness, only 4 service providers statewide have opted to enroll for Medicaid reimbursement thus far; many providers cite contradictory and confusing credentialing requirements as the reason they have not enrolled in Medicaid managed care reimbursement.</p> <p>SB 74 clarifies credentialing requirements for community-based service providers in an attempt to build the capacity of the mental health service system to better serve children with high-needs mental illness. The bill updates contracting requirements for providers and managed care organizations (MCOs) by stipulating that providers are only subject to contract requirements that are specific to serving children and their families. It also states that reimbursable providers cannot be required to provide a 24/7 emergency services hotline and mobile crisis team; these requirements were originally intended for the MCOs themselves, but it was previously unclear whether they also applied to community-based providers. The bill also specifies that providers who contract with MCOs to provide intensive mental health services to at-risk children are not required to provide lower levels of care and allows them to refer patients to other providers should they require these services. Finally, the bill states that providers cannot be required to provide services that are not reimbursable under Medicaid.</p> <p>SB 74 provides for a clear structure and guidelines under which local providers of children’s intensive mental health services can become credentialed for Medicaid reimbursement. The Meadows Mental Health Policy Institute estimates that only 5% of children in Texas are receiving the intensive mental health services they need; this bill would allow for more providers to become credentialed and would increase provision of vital services to Texas children enrolled in Medicaid. The bill would also decrease the burden placed on Local Mental Health Authorities, who are currently the sole provider of children’s mental health services in many areas of the state.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>
<p>SB 511 By: Rodríguez SP: Wray</p>	<p>Relating to a written declaration to designate a guardian before the need for a guardian arises.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Updates the law regarding a written declaration to designate a guardian before need. SB 511 simply provides that if a declarant is not disqualifying any individual from serving as guardian, there is an additional method for execution of a written declaration, which allows it to be signed in front of a notary public in lieu of two witnesses. Otherwise, two witnesses are still needed.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>

